## Senate File 2304 - Introduced

SENATE FILE 2304

BY COMMITTEE ON STATE

GOVERNMENT

(SUCCESSOR TO SSB 3068)

## A BILL FOR

- 1 An Act relating to the authority of cities to regulate and
- 2 restrict the occupancy of residential rental property and
- 3 including effective date provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- Section 1. NEW SECTION. 414.33 Residential rental property.
- A council may, in accordance with this chapter, adopt an
- 3 ordinance to regulate and restrict use or occupancy of property
- 4 based upon familial and nonfamilial status.
- 5 2. An ordinance adopted under this section shall require the 6 following:
- 7 a. That the board of adjustment make a special exception to
- 8 the ordinance, pursuant to section 414.12, if the owner of an
- 9 owner-occupied property petitions for such a special exception
- 10 and if making the special exception would not be contrary to
- 11 the public interest.
- 12 b. That the board of adjustment grant a variance from the
- 13 terms of the ordinance, pursuant to section 414.12, if the
- 14 owner of an owner-occupied property makes an appeal for such a
- 15 variance and if granting the variance would not be contrary to
- 16 the public interest.
- 17 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,
- 18 2015.
- 19 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 22 This bill relates to the authority of cities to regulate and
- 23 restrict the occupancy of residential rental property.
- 24 The bill provides that a city council may adopt an ordinance
- 25 to regulate and restrict use or occupancy of property based
- 26 upon familial and nonfamilial status. The bill further
- 27 provides that such an ordinance adopted shall require that the
- 28 board of adjustment make a special exception to the ordinance
- 29 if the owner of an owner-occupied property petitions for such
- 30 a special exception and if making the special exception would
- 31 not be contrary to the public interest. The bill also provides
- 32 that the ordinance must require that the board of adjustment
- 33 grant a variance from the terms of the ordinance if the owner
- 34 of an owner-occupied property makes an appeal for such a
- 35 variance and if granting the variance would not be contrary to

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- 1 the public interest.
- 2 The bill takes effect January 1, 2015.